



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,757	09/17/2001	Albert Gregory Pinto	PINTO-006A	8508
7663	7590	12/07/2005	EXAMINER	
STETINA BRUNDA GARRED & BRUCKER 75 ENTERPRISE, SUITE 250 ALISO VIEJO, CA 92656			VIG, NARESH	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/954,757		PINTO ET AL.	
	Examiner		Art Unit	
	Naresh Vig		3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-40 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1 - 18, drawn to directed to real estate information exchange method for creating a targeted real estate community having a plurality of real estate community members, each of the real estate community members being able to exchange information with other real estate community members; storing a record of the transmitted information in a real estate community information exchange log operative to determine potential commission information and targeted demographic information; allow a first real estate community member to interactively communicate with at least one other real estate community member; forwarding the information from the first real estate community member to the at least one other real estate community member; displaying a white board communication interface on a first member computer to allow a first real estate community member to interactively communicate with at least one other real estate community member; wherein information stored on

the electronic card is video information, classified in class 705, subclass 1.

II. Claims, 20 - 24, drawn to method of creating a virtual real estate clearing house for providing targeted real estate information to prospective buyers by loading a plurality of home files into a customer-specific database; loading a plurality of community information links into the database, the links being selected from a group of educational, cultural and other demographic information specific to each home file loaded into the data base; selectively allowing access to the database to specific potential customers; logging access to the database by the specific potential customers, wherein the service provider links being to direct potential customers to websites operated by home repair service providers; storing a record of each home file that the potential customer views to determine potential commission information in the event that the potential customer purchases the home corresponding to the home file; storing at least one home file on a removable medium, classified in class 707, subclass 100.

III. Claim 25, drawn to method of recording each home that is identified, described and illustrated to a potential customer by a real estate agent by creating a database of home files available for purchase; selectively grouping home files into a show file for access by a potential customer; creating a record of each home file that the customer views from the show file in order to evaluate potential real estate commissions due from the sale of viewing a home corresponding to the viewed home file, classified in class 707, subclass 100.

IV Claims 26 - 40, drawn to travel information exchange method for creating a targeted travel community having a plurality of travel community members; creating the targeted travel community by registering the community members; creating an electronic card having information received from a respective one of the community; storing the information from the electronic card in a travel community database; transmitting information from the travel community database in response to a display request from the respective travel community member; storing a record of the transmitted information in a travel community information exchange log, to determine potential commission information and targeted

demographic information; hosting a travel seminar by a travel professional for a plurality of travel community members; allow a first travel community member to interactively communicate with at least one other travel community member; accepting information from the first travel community member; forwarding the information from the first travel community member to the at least one other travel community member; displaying a white board communication interface on a first member computer to allow a first travel community member to interactively communicate with at least one other travel community member, classified in class 705, subclass 1.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions because Invention I drawn to real estate will require to be modified to use it for Invention IV to accommodate different types of data for their

respective field of use. In addition, Invention IV claims limitation for travel seminars whereas Invention I does not support hosting seminars.

Inventions II and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions because Invention II drawn to creating a virtual real estate clearing house for providing targeted real estate information to prospective buyers by loading a plurality of home files into a customer-specific database, whereas Invention III is drawn to recording each home that is identified, described and illustrated to a potential customer by selectively grouping home files into a show file for access by a potential customer.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for one is not required for other groups, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

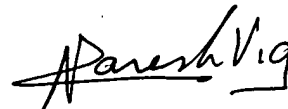
Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to

Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on M-F 7:30 - 6:00 (Wednesday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naresh Vig
Examiner
Art Unit 3629

November 30, 2005